



**MEMO ENDORSED**

September 22, 2020

**Via ECF & Email: Failla NYSDChambers@nysd.uscourts.gov**

Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

Re: *Ideavillage Products Corp., et al. v. Copper Compression Brands, LLC, et al.*  
Case no: 20-cv-04604

Dear Judge Failla:

We represent Defendants Copper Compression Brands LLC and Copper Compression LLC ("Defendants"), and write this letter pursuant to Your Honor's Individual Rules to respectfully request a short (one or two week) adjournment of the upcoming conference now scheduled for September 29<sup>th</sup> (Dkt. 15).

Plaintiffs' Reply to Defendants' Counterclaims is currently due on September 29<sup>th</sup>, the same day as the court conference. Defendants believe it would be prudent to see the content of Plaintiffs' Reply so that counsel can more fully discuss settlement with our clients in light of that Reply, and prior to the meet and confer with Plaintiffs' counsel in anticipation of the Court pretrial conference. In particular, pursuant to Rule 26(f), the parties are required to discuss the possibilities for promptly settling or resolving the case in their meet and confer before the conference with the Court. The short extension being requested would allow them to do so. In addition, we respectfully wish to review Plaintiffs' Reply in advance of the initial conference, so that we can have a more productive initial conference with the Court. The short extension would allow that as well.

Plaintiffs do not consent to this adjournment. They believe that since the parties had previous extensions of 2 months to answer the complaint to work out a settlement that did not pan out, the scheduled conference should not be adjourned. However, Defendants believe that a short extension, such as a week or two, will allow counsel to more fully discuss settlement with its client based on Plaintiffs' Answer to the Counterclaims, and to determine how to proceed, with no prejudice to the Plaintiffs.

No previous requests for adjournments have been made. As the scheduled conference is the first pretrial conference and no schedule has yet been Ordered by the Court, adjournment will not affect any milestone in the case.

We thank the Court for its attention to this matter.

Sincerely yours,

/s/ Lee A. Goldberg

Lee A. Goldberg

cc: Counsel of record (via ECF and email)

Application GRANTED. The initial pretrial conference scheduled for September 29, 2020, is hereby adjourned to October 9, 2020, at 2:00 p.m. At 2:00 p.m. the parties shall call (888) 363-4749 and enter access code 5123533. Please note, the conference will not be available prior to 2:00 p.m. The parties' pretrial submissions shall be due on or by October 2, 2020. (See Dkt. #15).

Dated: September 23, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE